IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

CRL.A.No. 1483 of 2006()

CRA.608/2005 of SESSIONS COURT, ERNAKULAM

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APPELLANT/COMPLAINANT:

SREESAKTHI PAPER MILLS LTD., SRI.KAILAS,
39/2724, PALIYAM RAOD, COCHIN-16, A COMPANY
REGISTERED UNDER THE COMPANIES ACT, 1956
REP.BY ITS POWER OF ATTORNEY MR.V.VINODKUMAR,
S/O.RAMAN NAIR.

BY ADV. SRI.S.SREEKUMAR

RESPONDENTS/ACCUSED & STATE:

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1. ANJANEYA ENTERPRISES, TRIVANDRUM,
REP.BY ITS MG.PARTNER SRI.P.V.SURESH KUMAR,
S/O.P.S.PADMANABHA PILLAI, TC 24/1648, SUSHANTH,
THYCAUD, TRIVANDRUM-695 014.

2. SURESH, MG.PARTNER, M/S.ANJANEYA -
ENTERPRISES, TC 24/1648, THYCAUD, TRIVANDRUM.

3. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY ADV. SRI.C.N.SREEKUMAR-R1 AND R2
SRI.K.MANOJCHANDRAN
SRI.P.R.AJITHKUMAR
SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS
PUBLIC PROSECUTOR SRI. THOMAS JOHN AMBOOKKAN - R3

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.THANKAPPAN, J.

CRL. APPEAL NO. 1483 OF 2006

Dated this the 14th day of November, 2007

JUDGMENT

This appeal is filed against the judgment in Crl. Appeal No.608 of 2005 on the files of the Sessions Court, Ernakulam. The appellant is the complainant in C.C. No.434 of 2001 on the files of the Judicial First Class Magistrate's Court II, Ernakulam.

2. When the appeal came up for hearing today, learned counsel appearing for the appellant submits that the matter has been settled out of Court and hence the appellant does not propose to prosecute the case further. The parties have already filed an application under Section 147 of the Negotiable Instruments Act,1881 for compounding the offence. Since no offence is found against the accused, there is no question of compounding.

However, in the light of the submission of the learned counsel appearing for the appellant that the appellant does not want to prosecute

the matter, the Crl. Appeal is dismissed, confirming the judgment of the trial court.

(K.THANKAPPAN, JUDGE)

sp/

K. THANKAPPAN, J.

CRL.A. NO.

JUDGMENT

OCTOBER, 2007